

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

NICOLE MARIE BLANCHETTE,

Plaintiff,

-vs-

Case No. 14-C-1545

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff Nicole Marie Blanchette (“Blanchette”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 2) on her appeal from the denial of her application for social security disability insurance benefits. In order to authorize a litigant to proceed IFP, the Court must make two determinations: First, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C.

§ 1915(e)(2).

By her petition and affidavit to proceed IFP, Blanchette avers that

she is unemployed and single. She also has a minor daughter. Blanchette receives \$357 in public assistance that she uses to buy groceries. Blanchette owns no valuable tangible or intangible property, and has no funds in cash or a financial account. She resides with her cousin who provides her with shelter without requiring that Blanchette contribute to rent and/or utility payments due to Blanchette's lack of income or resources. Based on the information provided, Blanchette has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that she is unable to pay the \$350 filing fee for this action. Furthermore, Blanchette's Complaint states arguable claims for relief. Accordingly, Blanchette's petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Blanchette's petition for leave to proceed IFP (ECF No. 2) is
GRANTED.

Dated at Milwaukee, Wisconsin, this 18th day of December, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge